

FORMAL MEETING AGENDA

BOARD OF SUPERVISORS

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts, and/or Board of Deposit)

WEDNESDAY, APRIL 18, 2007

9:00 AM

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GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED
GOLD – WITHDRAWN / BROWN – NO ACTION

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

*One or more members may attend telephonically.
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

BOARD OF SUPERVISORS

1. **AGREEMENT FOR PAYMENT IN LIEU OF PROPERTY TAXES – (APPROVED)**

Approve the Cooperation Agreement Between Maricopa County and the Pascua Yaqui Tribe for Payment in Lieu of Property Taxes. This agreement provides that the county will receive direct payments from the Tribe as user fees in lieu of taxes on a low income housing project, Las Flores de Guadalupe Project, constructed on land owned by the Tribe. The housing project meets the tax exemption requirements of A.R.S. §42-11131 et seq., and the Maricopa County Assessor has granted the exemption. (C1907034000) (ADM721)

2. Valley Bike Month Proclamation (ADM654) – **(APPROVED)**

3. Proclaim April as Fair Housing Month in Maricopa County, Arizona (C1707047M00) (ADM654) **(APPROVED)**

4. National County Government Week Proclamation (ADM654) – **(APPROVED)**

PRESENTATION

5. **EMPLOYEE SERVICE AWARDS – (NO ACTION)**

Present the following employees, who have provided 30 or more years of public service to Maricopa County, with service award plaques commemorating their service. (C3507022900) (ADM3341)

30 Years of Service

Name	Department	Employment Date
Ben F. Cetto	Transportation Department	February 8, 1977
Barbara J. Lee	Public Fiduciary	February 22, 1977
Edward F. McGee	Public Defender's Office	March 21, 1977

40 Years of Service

Name	Department	Employment Date
Michael Goodman	Trial Courts	January 30, 1967

STATUTORY HEARINGS

Clerk of the Board

6. LIQUOR LICENSE APPLICATIONS – (APPROVED)

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Gustavo Duarte Gomez for a new Series 10 Liquor License: (LL6222)

Business Name: Super Mercado y Carniceria
Location: 3449 W. Southern Avenue, Phoenix 85041

- b. Application filed by Forrest R. Briesch for a Special Event Liquor License: (F23221) (SELL780)

Business Name: St. Elizabeth Seton Catholic Church
Location: 9728 W. Palmeras Drive, Sun City, 85373
Date/Time: April 28 2007, 3:00 p.m. – 9:00 p.m.

7. FRANCHISES – (APPROVED)

- a. Pursuant to A.R.S. §40-283, this is the time scheduled for a public hearing to solicit comments and consider the application filed by Eagletail Water Co., LLC, for a public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C0607067700) (F23228)

- b. Pursuant to A.R.S. §40-283, this is the time scheduled for a public hearing to solicit comments and consider the application filed by Water Utility of Northern Scottsdale, for an extension to an existing public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C0607072700) (F22986)

Transportation

8. ROAD FILE DECLARATIONS – (APPROVED)

Approve petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, right-of-way or properties along the alignments into the Department of Transportation's highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

Road File No. 5354. In the vicinity of Deer Valley Drive and 151st Avenue. (Supervisory District 4). (C6407186000)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Assessor

9. TERMINATION OF LEASE – (APPROVED)

Approve early termination of Lease No. L7258 for the Assessor's Tempe Office located at 8140 S. Hardy, Tempe, AZ. The current lease provides for an early termination with a 120-day written notice to the landlord. The Assessor's Tempe Office will be relocated to office space vacated by the Kyrene (West Tempe) Justice Court at 8240 S. Kyrene Road, Tempe. This approval will authorize formal early termination of the subject lease at 8140 S. Hardy in Tempe and approve increase funding for the Assessor's Office (120) General Fund (100) budget for the increased lease costs associated with this move. (C1207007400) (C12070034YY)

Clerk of the Board

10. FIREWORKS PERMIT APPLICATION – (APPROVED)

Pursuant to A.R.S. §36-1603, approve the application filed by Randy Reyman for an original Fireworks Display Application: (ADM665-65)

Organization:	Anthem
Location:	41130 N. Freedom Way, Anthem 85086
Date/Time:	July 3, 2007, 9:00 p.m.

County Attorney

11. APPROPRIATED EXPENDITURE FOR A ONE-TIME SOFTWARE DEVELOPMENT PROJECT – (APPROVED)

Approve an increase to the County Attorney's Office (190) Criminal Justice Enhancement Fund (267) appropriated expenditure budget in the amount of \$300,000 to allow the County Attorney to utilize unallocated fund balance for a one-time software development project. Approval will allow the County Attorney to integrate the Harvest Check Enforcement management program with the County Attorney Information System (CAIS). This integration is a strategic initiative to eliminate duplicate data entry and enhance the agency's ability to effectively hold bad check writers accountable for their actions and garner restitution on behalf of merchants and victims affected by bad check writers. The receipt by the County Attorney's Office of funds from the Criminal Justice Enhancement Fund are not considered "local revenues" for the purpose of the constitutional expenditure limitation because they have been included in the appropriation limitation of the expenditure limitation of the State, and thus, non-local pursuant to Arizona Constitution Article 9, § 20(d)(vi). (C1907032800) (ADM400-002)

Elections

12. AMENDMENT TO MOU AND ADDENDUM WITH STATE OF ARIZONA AND THE SECRETARY OF STATE FOR HELP AMERICA VOTE ACT FUNDS – (APPROVED)

Approve Amendment No. 1 to Memorandum of Understanding (MOU), and Addendum No. 1, between the Board of Supervisors (BOS), the State of Arizona, and the Secretary of State. This MOU outlines how the BOS and the County Recorder will be responsible for the County's compliance with the agreement and reporting requirements in return for Help America Vote Act (HAVA) funds for its purchase of qualifying voting systems, equipment, external labor or other HAVA qualified items. This amendment changes the effective termination date from the end of FY 2006-07 to the end of FY 2009-10. This MOU will allow Maricopa County access to Federal Funds for procurement of accessible voting devices (touch screen voting devices), one for each of the County's 1,058 voting precincts. (C2106001M01)

Recorder

13. SALE OF ROLLS OF SURPLUS ARCHIVE MEDIA – (CONTINUED TO 05/02/07)

Approve the sale of 1,158 rolls of surplus archive media to AMCAD for \$17,601.60. The Records Office has 1,158 rolls of archive media which we are no longer using. The vendor we purchased the media from will accept the return but will charge us a restocking fee of 15-20% or \$2,331.72-\$3,108.96. AMCAD has offered to purchase the surplus media at our cost. District Procurement Code Section MCI-803(E). THIS ACTION REQUIRES A UNANIMOUS ROLL CALL VOTE. (C3607004800) (ADM119)

Sheriff

14. PERMANENT RETIREMENT AND TRANSFER OF OWNERSHIP OF CANINE UNIT DOG (APPROVED)

Approve the permanent retirement and transfer of ownership of Canine Unit dog "Maxie," K-69, who is four years old, to her handler Detective James McCarthy. The associated Memorandum of Understanding with the Bureau of Alcohol, Tobacco, and Firearms (ATF) states that if the handler is reassigned, the canine should be retired with the handler. The Bureau of Alcohol, Tobacco, and Firearms Accelerant Detection Canine Program (ATF ADCP) will not retrain or re-certify canines

over three years old. Board approval is pursuant to A.R.S. §11-251(9). (C5002046M01) (ADM3916)

15. ONE TIME ADDITION TO FLEET FOR LAKE PATROL, SEARCH AND RESCUE, AND TRAILS UNITS – (APPROVED)

Approve 16 one time additions to the Sheriff's Office fleet to be used by the Sheriff's Lake Patrol, Search and Rescue, and Trails Units. These vehicles are being purchased with RICO funding. They include: eight Honda Rincon 675 cc all terrain vehicles (ATVs) with GPS systems [approx. \$60,000]; two Tomcar TM27G and two Tomcar TM47G [approx \$89,430]; four 16' trailers to transport the equipment for the Lake Patrol Unit and the Trails Unit. [approx. \$14,875].

No vehicle replacement costs are associated with these temporary additions to fleet, which will automatically be removed for the Maricopa County Sheriff's Office fleet as they become no longer useful.

RICO funds will support the operation, maintenance and fuel costs for these vehicles. The annual estimated operating and maintenance cost is \$9,500. (C5007069M00) (ADM3104)

JUDICIAL BRANCH

Juvenile Probation

16. AMENDMENT TO LEASE FOR ADDRESS CORRECTION – (APPROVED)

Approve an amendment to Lease No. L7391 previously approved under agenda item C2707007400 on November 1, 2006. Lease No. L7391 with CRUX Development, L.L.C., for 7,936 square feet of office space at 333 W. Hatcher, Phoenix, AZ. Effective on or about March 26, 2007, the building for the subject lease was sold to MedicalProperties S.W., L.L.C. It is noted at Paragraph 27 of the lease agreement lessor's address is corrected to read "3617 W. Cambridge Avenue". The lessor and address correction are the only changes to the lease agreement, all other terms and conditions of the current lease remain the same. (C2707016400)

Trial Court

17. APPOINTMENTS – (APPROVED)

- a. Approve the appointment of Court Commissioners as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from July 1, 2007 through June 30, 2008, to serve in the various programs in the Justice Courts to reduce trial delay. The list of Court Commissioners is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C3807021700) (ADM1001)
- b. Approve the appointment of law-trained Municipal Court Judges Ted Armbruster, Robert Doyle, Karl Eppich, Lynda Howell, Kevin Kane, Richard Lynch, Mary Anne Majestic, Lori Metcalf, Wendy Morton, Richard Smith and Gloria Ybarra as Judges Pro Tempore in the Maricopa County Superior Court in hearing administrative appeals for a term beginning July 1, 2007 through June 30, 2008, to enhance the ability to process cases in lower court appeals. (C3807022700) (ADM1001)
- c. Approve the appointment of Attorneys as Superior Court Judges Pro Tempore, in accordance with A.R.S. §12-141. This serves the interests of judicial economy and promotes sound caseflow management. The attorneys would serve as Judges Pro Tempore without any compensation. The appointment will be for the period commencing July 1, 2007 through June

30, 2008. The list of Attorneys is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.(C3807023700) (ADM1001)

- d. Approve the appointment of retired Superior Court Judges Rebecca Albrecht, Stephen Gerst, Barbara Jarrett, James McDougall, Cecil Patterson, Jr., William Schafer, Barry Schneider, Linda Scott, Raymond Weaver, Jr., Penny Willrich, and retired Court of Appeals Judge Jefferson Lankford as Superior Court Judges Pro Tempore for the period from April 18, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807024700) (ADM1001)

Justice Courts

18. RESCIND ACTION AND APPROVE THE CONTINUED USE OF LEASED SPACE
(APPROVED)

Rescind agenda item C24020044YY approved October 18, 2006, and approve the continued use of the current leased space at 8240 S. Kyrene under Lease No. L7315 (C2402004400). On October 18, 2006 the Board of Supervisors approved the early termination of Lease No. L7315 with EJM Kyrene LLC, due to the relocation of the Kyrene (West Tempe) Justice Court to the new San Tan Regional Court Facility during March of 2007. In an effort to eliminate the early termination penalties associated with the early termination of Lease No. L7315, the County Assessor's Office now wishes to relocate the Assessor's Tempe field office at 8140 S. Hardy Drive, Tempe to the former Kyrene Justice Court lease space at 8240 S. Kyrene, Tempe. (C2407003400)

COUNTY MANAGER

Office of the County Manager

19. ESTABLISHMENT OF AZ METH PROJECT ADVISORY BOARD AND APPOINTMENT
(APPROVED)

Establish an Arizona Meth Project Advisory Board and appoint Supervisor Don Stapley as the Maricopa County representative to the Board. Maricopa County and the Meth Project (Montana Meth Project) have entered into an affiliation agreement which licenses the Arizona Meth Project to utilize the meth prevention media campaign implemented by the Montana Meth Project. One condition of the affiliation agreement is the establishment of an Advisory Board. (C2007049M00) (ADM639-001)

20. DONATION – (APPROVED)

Approve and accept a donation of an electric lawn mower from Salt River Project valued at \$450 and 30 Arizona Diamondbacks baseball tickets (\$40 each) for a total value of \$1200. These prizes were donated by Salt River Project and the Arizona Diamondbacks baseball organization for use in Bring Back Blue air quality campaign. Awardees were drawn after they pledged to find alternate modes of transportation during the month of March. (C2007050M00) (ADM1810)

DEPUTY COUNTY MANAGER

Human Resources

21. PERSONNEL AGENDAS – (APPROVED)

Approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas.

Management and Budget

22. COMPENSATION MARKET RANGES – (APPROVED)

Approve and authorize a comprehensive listing of specific employee compensation Market Ranges and the proposed process for using said market ranges to facilitate implementation of new salaries and all salary adjustments for County employees. Authorize the Office of Management & Budget to implement and utilize the employee compensation Market Ranges for new hires, all salary adjustments, demotions and promotional increases. (List is on file in the Clerk of the Board's office.) (C4907038600) (ADM3308)

Public Health

23. AGREEMENT FOR LEARNING EXPERIENCES – (APPROVED)

Approve the Off-Site Preceptor Student Rotation Training Agreement to allow students from the University of Northern Colorado dietetic internship program to participate in learning experiences at the Department of Public Health. The agreement is non-financial, and the term is from July 1, 2007 through June 30, 2012. (C8607055000)

24. SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES (APPROVED)

Approve an intergovernmental agreement with the Tolleson Elementary School District to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. The term of the agreement is from December 1, 2006 through May 1, 2007, for a contract dollar amount not-to-exceed \$4,000. (C8607491200)

ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES

Human Services

25. AMENDMENT FOR SERVICES WITH GOODWILL INDUSTRIES OF CENTRAL ARIZONA, INC (APPROVED)

Approve a Contract Amendment No. 2 for services with Goodwill Industries of Central Arizona, Inc. to increase the funding by \$12,600 (from \$651,942 to \$664,542) to provide Workforce Investment Act (WIA) youth healthcare industry work experience services and activities to northern area special population in-school and southeastern area in-school and out-of-school youth. This amendment is effective on May 1, 2007, but the contract term remains unchanged and will terminate on June 30, 2007. (C2207072102)

26. AMENDMENT FOR SERVICES WITH ARIZONA CALL-A-TEEN YOUTH SERVICES, INC. (APPROVED)

Approve a contract amendment for services with Arizona Call-a-Teen Youth Services, Inc. to increase the funding by \$12,600 (from \$700,600 to \$713,200) to provide Workforce Investment Act (WIA) youth healthcare industry work experience services and activities to northern and southwestern area in-school and out-of-school youth. This amendment is effective on May 1, 2007, but the contract term remains unchanged and will terminate on June 30, 2007. (C2207073102)

Parks and Recreation

**27. ADJUSTMENTS TO THE FY 2006-07 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM
(APPROVED)**

Pursuant to A.R.S. §42-17106(B), approve the following adjustments to the FY 2006-07 Five-Year Capital Improvement Program, Appropriated Fund Balance (480), General Fund County Improvement Fund (445), Year 1:

- **Decrease** the expenditure budget of the Playground Shade Structures (PLAY) project by \$226,921.
- **Increase** the expenditure budget of the Visitor Centers & Amphitheaters (VAMP) project by \$226,921.

Funding for both projects was approved by the Board on June 19, 2006 as a part of the FY 2006-07 Capital Improvement Program. (C3007027000)

**28. USE MANAGEMENT AGREEMENT WITH FORT ADOBE PAINTBALL COMPLEX, LLC
(APPROVED)**

Approve the Use Management Agreement between Maricopa County and Fort Adobe Paintball Complex, LLC, for the development, operation and maintenance of a paintball complex at Adobe Dam Regional Park and approve an increase to the FY 2007-08 revenue budget in the amount of \$15,000 for the Parks and Recreation Department (300), Enhancement Fund (241). The term of the agreement shall be until December 31, 2012 (approximately five years) with three five-year renewal options. All development costs will be at the expense of Fort Adobe Paintball Complex, LLC. Guaranteed minimum revenue for Maricopa County Parks and Recreation Department (300) Enhancement Fund (241) over the life of the original term is \$69,000. (C3007028100) (ADM3200-003)

**29. COLLECTION AGREEMENT FOR CONSTRUCTION OF BOATING ACCESS FACILITIES
(APPROVED)**

Approve and execute a Collection Agreement for Construction of Boating Access Facilities with the State of Arizona Game and Fish Department and accept the amount of \$100 for the purchase of signage for the floating restroom which will be constructed at Lake Pleasant Regional Park under this Collection Agreement and transferred to Maricopa County for ownership. Acceptance of this revenue and expenditure can be absorbed within the current revenue and expenditure appropriation. (C3007029200)

**30. AGREEMENT TO ACCEPT FUNDS FOR SOLAR POWERED NATIVE FISH REFUGE PONDS
(APPROVED)**

Approve a Cooperative Agreement to accept \$9,200 from U. S. Fish and Wildlife Service to construct Solar Powered Native Fish Refuge Ponds at Spur Cross Ranch Conservation Area and approve an increase to the FY 2007-08 revenue and expenditure budget in the amount of \$9,200 for the Parks and Recreation Department (300) Parks Grant and Special Revenue Fund (230). (C3007030300)

CHIEF FINANCIAL OFFICER

Animal Care & Control Services

31. AGREEMENTS FOR NEW HOPE PROGRAM ANIMAL RESCUES – (APPROVED)

Approve the following agreements with Maricopa County under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the contractor. The cost for these services is \$27 for each animal rescued:

- a. Pat Daigle, d.b.a. Min Pin Haven Rescue, 5728 N. 41 Drive, Phoenix, AZ 85019. Animal Care & Control estimates 30 new hope rescues over the term of the agreement, for a total of \$810. The term of this agreement is from April 4, 2007 through April 3, 2010. (C7907088100)
- b. Benji's Buddies Animal Rescue, Inc., a 501 (c) 3 non-profit, 320 E. Greenway Road, Phoenix, AZ 85042. Animal Care & Control estimates 240 new hope rescues over the term of the agreement, for a total of \$6,480. The term of this agreement is from April 4, 2007 through April 3, 2010. (C7907096100)

32. KENNEL PERMIT – (APPROVED)

Approve the following new kennel permits for the term of April 18, 2007 through April 17, 2008. The cost of each kennel permit is \$328.00:

- a. Hugh Knuttgen, d.b.a. H&D Beagles, 6112 W. Parkside Lane, Glendale, AZ 85310, Permit #438. (Supervisory District 4) (C7907099C00) (ADM2304)
- b. Maria Orozco, d.b.a. Orozco Kennels, 9208 W. Cameron Drive, Peoria, AZ 85345, Permit #437. (Supervisory District 4) (C7907101C00) (ADM2304)

33. KENNEL PERMITS RENEWALS – (APPROVED)

Approve the following kennel permit renewals for the term of April 18, 2007 through April 17, 2008.

- a. Billie Jo Maxey, d.b.a. Maxey Kennels, 16047 N. 67th Lane, Peoria, AZ. The cost of a kennel permit is \$328.00, plus a penalty fee of \$25.00; totaling \$353. (Supervisory District 3) (C7907098100) (ADM2304)
- b. Marie Hamilton, d.b.a. Hamilton Kennels, 435 S. Pasadena Street, Mesa, AZ 85210, Permit #381. The cost of a kennel permit is \$328. (Supervisory District 2) (C7907100C00) (ADM2304)

Finance

34. FUND TRANSFERS; WARRANTS – (APPROVED)

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Materials Management

35. SOLICITATION SERIALS – (APPROVED)

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Renewals/Extensions:

It is recommended that the Board of Supervisors approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until April 30, 2010

04016-C Heavy Duty Truck, Construction and Agricultural/Industrial Fleet and Equipment Parts, Service and Accessories (\$1,200,000 estimated/three years) Price agreement renewal to provide heavy duty truck parts and service as requested by the Equipment Services Department.

- Balar Holding Corp.
- Cummins Rocky Mountain, LLC
- Empire Machinery
- Falcon Power, Inc.
- Fleetpride
- Freightliner Sterling Western
- Newt Fogal Sales
- Norwood Equipment, Inc.
- R.D.O. Equipment Company

Until August 31, 2010

04099-C Plastic Products: Ice Bags, Clipped Casings, and Clips (\$700,000 estimated/three years) Price agreement renewal for ice bags, casings and clips used by the Sheriff's Food Factory for their quick-chill food processing program.

- B & S Supply Company Inc
- The Packaging Factory LTD.

Risk Management

36. SETTLEMENT AGREEMENT – (APPROVED)

Approve the proposed Settlement Agreement between Maricopa County and Plaintiffs Marissa Anne Yarbrough, Andria Nicole Yarbrough, and The Estate of Clint Robert Yarbrough, concerning Maricopa County Superior Court Case No. CV2006-017816 (Claim No.: GL5000031078) and authorize the Chairman to sign the settlement agreement and all necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on April 16, 2007. (C7507028100)

37. IGA FOR HEAVY EQUIPMENT TRAINING SERVICES – (APPROVED)

Approve the intergovernmental agreement between Maricopa County, Risk Management Department, Safety Division, and the City of Scottsdale regarding Heavy Equipment Training

Services with Maricopa County. This agreement shall be effective upon recording of the agreement with the Maricopa County Recorder pursuant to A.R.S. §11-952, and shall remain in force and in effect for three years, and may thereafter be amended or terminated upon written notice by both parties. The County will bill the City for services rendered, including normal County overhead, labor burden, equipment, labor, and materials costs with no provisions for profit. The costs will be reviewed annually between Maricopa County, Risk Management Department, Safety Division and the City of Scottsdale. (C7507029000)

OFFICE OF ENTERPRISE TECHNOLOGY

38. PURCHASE OF EQUIPMENT FOR THE UPGRADE OF NETWORK INFRASTRUCTURE (APPROVED)

Approve the purchase of equipment, Project Management, Business Analysts and Engineering staff, Professional Installation Services, Training, Disaster Recovery Location, and Cabling and Accessories with an annual amount not-to-exceed 22,000,000 for the upgrade to the network infrastructure in the Downtown Campus and Clustered Data Centers. Equipment purchases will be financed via the Technology Financing Program over a three year period and the equipment will be phased in over the next six years. The Department of Finance will determine the best and appropriate financing solution in accordance with all procurement requirements. The Office of Management and Budget will budget debt service expense beginning in FY 2007-08. (ADM1831-003)

Pursuant to A.R.S. §42-17106(B), approve the transfer of expenditure authority between the General Government Grants Fund (Dept 470, Fund 249) and the Office of Enterprise Technology Department (Dept 410, Fund 681). This action will require an expenditure appropriation adjustment **decreasing** the FY 2006-07 General Government (470) General Government Grants Fund (249) by \$904,200 and **increasing** the FY 2006-07 Office of Enterprise Technology (410) Telecommunications Fund (681) by \$904,200.

This is one-time funding from Telecommunications fund-balance that will be used to purchase cables and accessories necessary for the Infrastructure Replacement project. Also, direct the Office of Management and Budget to budget additional cabling and accessories using Telecommunications Fund Balance beginning in FY 2007-08.

Pursuant to A.R.S. §42-17106(B), approve a transfer of expenditure authority from General Government (470) General Fund (100) Technology Reserve (4711) to General Government (470) General Fund (100) Central Service Costs (4714) in a new line item entitled "IT Infrastructure" in the amount of \$2,394,969. This action will fund consulting and professional services in FY 2006-07 associated with the design and implementation of the upgraded network. This action requires an expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) Technology Reserve (4711) expenditure budget by \$2,394,969 and increasing the FY 2006-07 General Government (470) General Fund (100) Central Service Costs (4714) by \$2,394,969. Also, direct the Office of Management and Budget to budget continued expenses for FY 2007-08.

Pursuant to A.R.S. §42-17106(B), approve a transfer of expenditure authority from General Government (470) General Fund (100) Technology Reserve (4711) to the Office of Enterprise Technology (410) General Fund (100) in the amount of \$90,309. This action will fund two months in FY 2006-07 personnel costs associated with the upgraded infrastructure. This action requires an expenditure appropriation adjustment **decreasing** the FY 2006-07 General Government (470) Technology Reserve (4711) expenditure budget by \$90,309 and **increasing** the FY 2006-07 Office of the Enterprise Technology (410) General Fund (100) expenditure budget by \$90,309.

Also, direct the Office of Management and Budget to budget the annualized costs in the fiscal year 2007-08 budget. (C4107012100) (ADM2700-003)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Emergency Management

39. DONATION – (APPROVED)

Approve and accept a donation of \$500 from DPC Enterprises, L.P. This donation will be used to purchase materials and to support future exercises on behalf of the Local Emergency Planning Committee (LEPC), for which the Department of Emergency Management provides the administrative support. Also, approve an appropriation adjustment to Emergency Management (150), Emergency Management Grant Fund (215), increasing the FY 2006-07 revenue and expenditure budgets by \$500. Donation funds are not local revenues for the purpose of the constitutional expenditure limitation; therefore expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1507007M00) (ADM1810)

Facilities Management

40. EXPENDITURE BUDGET ADJUSTMENTS FOR ADDITIONAL DETENTION FACILITY RELATED ISSUES – (APPROVED)

Pursuant to A.R.S. §42-17106(B), approve the following FY 2006-07 expenditure budget adjustments in General Government (470) Detention Fund (255) Central Service Costs (4714):

- Increase Annual Detention Facilities Operational Program by \$300,000.
- Decrease Utilities by \$300,000.

The adjustments have a net zero impact on the overall county budget. Approval of this item will adjust the Annual Detention Facilities Operational Program budget to provide the necessary funding in FY 2006-07 for additional detention facility related issues. (C7007041800) (ADM800-003)

41. ADJUSTMENTS TO THE FY 2006-07 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (APPROVED)

Pursuant to A.R.S. §42-17106(B), authorize the following adjustments to the FY 2006-07 Five-Year Capital Improvement Program:

Approve an FY 2006-07 fund transfer of \$1,930,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445). Also, increase the FY 2006-07 Appropriated Fund Balance (480) General Fund County Improvement Fund (445) revenue appropriation by \$1,930,000 and expenditure appropriation by \$60,000, and increase the FY 2006-07 expenditure appropriation of the General Government (470) Grants Fund (249) by \$1,870,000 with offsetting revenue and expenditure eliminations in the Eliminations (980) Eliminations Fund (900).

Increase Appropriated Fund Balance (480) General Fund County Improvement Fund (445) Infrastructure Systems (4813) Security Building (SSCB) project revenue by \$1,930,000 in Year 1 and project expenditures by \$60,000 in Year 1 and \$1,870,000 in Year 2.

Approval of this item will allow for the remodel of the Security Building mezzanine level for use by the Staff Development division of Human Resources for both administrative and training room space totaling approximately 8,128 square feet. Approval of this item will reduce available General Fund contingency funding by \$1,930,000 in FY 2006-07. (C7007042800) (ADM800-003)

42. TRANSFER EXPENDITURE APPROPRIATION FOR REMODEL OF THE 3RD FLOOR OF THE COUNTY ADMINISTRATION BUILDING – (APPROVED)

Pursuant to A.R.S. §42-17106, approve the transfer of FY 2006-07 expenditure appropriation in the amount of \$1,300,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to the Appropriated Fund Balance (480) General Fund (100) Major Maintenance (4832) Administration Building Improvements (ABII) project, Year 1. Approval of this action will allow for the remodel of the 3rd floor of the County Administration Building and will reduce available General Fund contingency funding by \$1,300,000 in FY 2006-07. (C7007043800) (ADM800-003)

43. INSTALLATION OF HISTORIC BUILDING PLAQUES – (APPROVED)

Approve the installation of plaques on five County-owned historic buildings:

- Chambers Transfer & Storage Company Building
- Maricopa County Courthouse
- Agriculture Building
- Santa Fe Freight Depot
- Security Building

The plaques provide commemoration of the Maricopa County Board of Supervisors' efforts to preserve Arizona's heritage. (C7007039M00) (C7007045000) (ADM806)

Planning and Development

44. IGA RELATED TO COUNTY PLATTING AND PERMITTING AUTHORITY – (APPROVED)

Approve an intergovernmental agreement (IGA) with the City of Litchfield Park to give the county platting and permitting authority within city jurisdiction and authorize the execution thereof by the Chairman. The area in question is a city strip annexation along the Missouri Avenue alignment within the master-planned community of Wigwam Creek. The Missouri Avenue right-of-way was abandoned and the internal collector street system realigned within Wigwam Creek in order to prevent traffic from cutting through the lower density neighborhood to the west. However, the previous Missouri Avenue alignment included an approx. 25' wide strip annexation for the City of Glendale on the north half of the alignment and the City of Litchfield Park on the south half of the alignment, thus resulting in 30+ proposed lots falling within three different platting and permitting jurisdictions. The strip has sat undeveloped while the surrounding Wigwam Creek neighborhoods are built out. An IGA was previously executed between the County and the City of Glendale. The subject request is an IGA between the County and the City of Litchfield Park and is essentially the same agreement as with the City of Glendale. The subject request will allow the County to administer a Final Plat for the final phase of subdivision development in Wigwam Creek, to accept and review building permits, and to conduct building inspections on the proposed lots that straddle the three jurisdictions. Development of this strip will mitigate potential from blight for a long standing vacant tract of land in the middle of a residential neighborhood. (C4407008000)

Transportation

**45. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS
(APPROVED)**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

**46. CHANGE ORDER TO CONTRACT WITH KIEWIT WESTERN CO TO CORRECT LANGUAGE
(APPROVED)**

Approve Change Order No. 3 to Contract CY2006-039 with Kiewit Western Co. (T180 - Cotton Lane Bridge at Gila River) to correct language in the Contractor's Scope of Work in the executed contract. The wording refers to the Guaranteed Maximum Price (GMP) Plans and Specifications as being the Final Plans and Specifications. In actuality, the GMP Plans and Specifications only reflected a "90% Preliminary – Not for Construction" of the Final from which construction was intended. (Supervisory Districts 4 and 5) (C6406252501)

47. IGA FOR AZTECHTM SMART CORRIDORS PHASE 3 – (APPROVED)

Approve the intergovernmental agreement between Maricopa County and the City of Mesa for AZTECHTM SMART CORRIDORS PHASE 3 to upgrade a Systematically Managed Arterial (SMART) Corridor. The construction cost of this project is estimated at \$1.6 million of which the City of Mesa will contribute \$145,000 once the project has been authorized by the Federal Highway Administration to proceed with the work and incur costs. The remaining contributions will come from federal funds and other AZTECHTM Partners. Construction is expected to begin in calendar year 2007. (Supervisory District 2) (C6407195200)

**48. BIDS AND AWARD FOR CONSTRUCTION OF MINGUS ROAD BOX CULVERT
(APPROVED)**

Approve the solicitation of bids for construction of Mingus Road Box Culvert, Maricopa County Department of Transportation (MCDOT) Project No. T219, and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%. FY 2007-08 expenditures for this item are contingent upon the Board approving the recommended FY 2007-08 budget. (Supervisory District 3) (C6407201600)

**49. REIMBURSEMENT TO SRP FOR ENGINEERING SERVICES AND CONSTRUCTION
(APPROVED)**

Approve reimbursement to Salt River Project (SRP) in the amount of \$982,468 for engineering services and construction by SRP contracted forces for the relocation and installation of the SRP owned electrical facilities in conflict with Maricopa County Department of Transportation (MCDOT) Project T087, Queen Creek Road: Arizona Avenue to McQueen Road. MCDOT acknowledges that SRP facilities have prior rights. The cost may not exceed the estimated amount of \$982,468 by more than 10%. The project budget for FY 07-2008 will be adjusted next fiscal year after the budget is adopted. Approval of this item is contingent upon the Board adopting the recommended FY 2007-08 budget.

Approve and execute the SRP Design and Construction Contract. (Supervisor District 1) (C6407202100)

50. STREET LIGHTING IMPROVEMENTS – (APPROVED)

Approve the intergovernmental agreement between Maricopa County and the City of Avondale for Street Lighting Improvements to Indian School Road from Old Litchfield Road to Dysart Road (Lighting Improvements) approved by the City Council of Avondale on March 5, 2007. Maricopa County Department of Transportation (MCDOT) has scheduled road improvements to Indian School Road from Old Litchfield Road to Dysart Road - MCDOT Transportation Improvement Project No. T186 (Road Improvements). Solicitation of bids for the MCDOT Road Improvements was approved by the Board of Supervisors at their February 26, 2007 meeting. The City Lighting Improvements will compliment the MCDOT Road Improvements. The IGA provides that the city will be responsible for all costs and liabilities associated with their Lighting Improvements. The IGA further provides that the agreement to include the City Lighting Improvements as an addendum to the Road Improvements' bid process is contingent upon the city providing all required documentation to MCDOT in a timely manner such that the road improvements are not delayed. The term of this agreement is effective upon Board approval. (Supervisory District 4) (C6407203200)

BOARD OF SUPERVISORS

Clerk of the Board

51. APPOINTMENTS – (APPROVED)

- a. **Board of Adjustment and Drainage Review Board** – Reappoint Greg Arnett, representing Supervisorial District 2, whose term is effective from the date of Board approval through April 17, 2011. (C0607076900) (ADM3408-001)
- b. **Merit System Commission** – Accept the resignation of Dan Reeb and appoint Scott Higginson, nominated by Supervisorial District 2, whose term will fill the unexpired term effective as of the date of Board approval through December 31, 2008. (C0607078900) (ADM3315-001)
- c. **Corrections Officer Retirement Plan Local Board (CORP)** – Appoint Lt. Michael Wilkins, as a citizen member, whose term is effective from May 1, 2007 through April 30, 2011. (C0607079900) (ADM3332-001)
- d. **Citizen's Audit Advisory Committee** – Reappoint Matthew Breecher, nominated by Supervisorial District 3, whose term is effective as of the date of Board approval through April 16, 2009. (C0607080900) (ADM2602-001)
- e. **Maricopa Workforce Connections Board** –
 - o Appoint Marie Sullivan, President/CEO for Arizona Women's Education and Employment., replacing Ann Marie Whitacre, representing Community Based Organizations, who will fill the unexpired portion of the terms effective the date of Board approval through June 30, 2007. (C2208081900)
 - o Appoint Joel Millman, Mature Worker Program Coordinator for the Arizona Department of Economic Security, Division of Aging and Adult Services, replacing Rex Critchfield, representing One-Stop Partners, who will fill the unexpired portion of the terms effective the date of Board approval through June 30, 2007. (C2208081900)

52. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS – (APPROVED)

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

SETTING OF HEARINGS

~All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted~

Transportation

53. ROAD FILE DECLARATION – (APPROVED)

Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, May 16, 2007.

Road File No. A381. In the vicinity of MC 85 (Buckeye Road) from 79th Avenue to 75th Avenue. (Supervisory District 4) (C6407190000)

Air Quality

54. HAZARDOUS AIR POLLUTANTS PROGRAM AND AMENDMENTS TO EXISTING RULES (APPROVED)

Set a public hearing, as required by A.R.S. §49-479(b), for 9:00 a.m., Wednesday, June 6, 2007, to solicit comments on proposed Maricopa County Hazardous Air Pollutants (HAPs) Program and proposed amendments to existing rules - Rule 100, Rule 200, Rule 210, Rule 220, Rule 230, Rule 240, and Appendix B - to reflect the requirements of the new program and to improve the rules' clarity and regulatory uniformity among related rules in the Maricopa County Air Pollution Control Regulations. Following the public hearing, the Board is requested to adopt the proposed Maricopa County Hazardous Air Pollutants (HAPs) Program and the proposed amendments to Maricopa County Air Pollution Control Regulations Rules 100, 200, 210, 220, 230, 240, and Appendix B. (C8507019700) (ADM2375) ADM2354)

Environmental Services

55. CHANGES TO THE ENVIRONMENTAL HEALTH CODE ORDINANCE P-14 – (APPROVED)

Set a public hearing for 9:00 a.m., Wednesday, May 16, 2007, to review and approve proposed revisions to Chapters I, II, V, VIII, XI and XII of the Maricopa County Environmental Health Code

(MCEHC). Proposed code amendments align code definitions with the MCEHC fee schedule ordinance, incorporate Arizona Administrative Code drinking water and wastewater standards by reference, expound on wastewater treatment plant operator certification, adjust sewage/waste treatment works construction time frames, add permit fee waiver expirations, modify chemical toilet permit fees and update permitted facility revocation/suspension postings. (C8807006700) (ADM2102)

Planning and Development

56. CASES – (APPROVED AS AMENDED)

Schedule Planning and Development public hearings on the following zoning cases.

- CPA2007001 - Old US Hwy 80 Area Plan
- Z2006078 - Riverwalk Phase II Rezone
- Z2006137 - Robson Residential SUP
- Z2006138 - Petsmart Pethotel SUP
- Z2006153 - Verizon SUP
- S2007001 - Final Plat for White Tank Foothills Well Site *
- S2005070 - Final Plat for Camelback Crossing *
- S2005031 - Final Plat for Spring Mountain Ski Ranch Phases 3 & 4 *
- S2006052 - Replat for Spring Mountain Ski Ranch Phases 1 & 2 *

* These items do not require a public hearing.

CONSENT AGENDA

Clerk of the Board

- 57. ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001) **(APPROVED)**
- 58. Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. – **(APPROVED)**
- 59. Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723) – **(APPROVED)**
- 60. Donations** – Accept the donation reports received from county departments for March 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810) – **(APPROVED)**
- 61. Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's

- office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809) – **(APPROVED)**
62. **Minutes** – Approve the minutes of the Board of Supervisors meetings held October 16, 2006, October 30, 2006, November 20, 2006, November 29, 2006, December 21, 2006 and January 19, 2007. – **(APPROVED)**
63. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701) – **(APPROVED)**
64. **Secured Tax Roll Corrections** – Approve requests from the Assessor for corrections of the Secured Tax Rolls. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705) – **(APPROVED)**
65. **Settlement of Tax Cases** – Approve the settlement of tax cases dated April 18, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704) – **(APPROVED)**
66. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816) – **(APPROVED)**
67. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §41-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708) – **(APPROVED)**

FLOOD CONTROL DISTRICT AGENDA

- FCD-1.** Approve minutes of meeting held October 16, 2006 and October 30, 2006. – **(APPROVED)**
- FCD-2.** Approve Flood Control District Personnel Agenda (Exhibit C). – **(APPROVED)**
- FCD-3.** Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910) **(APPROVED)**
- FCD-4. CHANGE ORDER FOR BETHANY HOME OUTFALL CHANNEL** – **(APPROVED)**

Approve Change Order No. 5 in the amount of \$397,702.07 to the Flood Control District of Maricopa County Contract FCD 2004C055 – Bethany Home Outfall Channel (BHOC) Reach 2C (83rd Avenue to 73rd Avenue in Phoenix and Glendale)(Project #620), with Ames Construction, Inc. Change Order No. 5 is required to increase the funding for time and materials work to repair the August 2006 rain storm damage in the adjacent BHOC Channel Reach 2B – (73rd Avenue to 67th Avenue in Phoenix). The contractor was previously authorized to begin repairs to the BHOC

Reach 2B Channel per Change Order No. 3 and additional funds are required to complete the repairs. (C6906031501)

**FCD-5. IGA FOR DOWNTOWN BUCKEYE REGIONAL BASIN AND STORM DRAIN PROJECT
(APPROVED)**

Approve Intergovernmental Agreement (IGA) FCD2006A014, between the Flood Control District and the Town of Buckeye, for the cost sharing, design, utility relocations, rights-of-way acquisition, construction, construction management, and operation and maintenance of the Downtown Buckeye Regional Basin and Storm Drain Project #211. Project is estimated to cost \$4,000,000. The district and the city will share the cost equally 50/50. (C6907042200)

**FCD-6. SIGN THE ARIZONA CERTIFICATE OF TITLES FOR VEHICLES AND THE BILL OF SALES
(APPROVED)**

Pursuant to A.R.S. §9-402, authorize the Board of Directors to sign the Arizona Certificate of Titles for Vehicle Identification Numbers A100861A, A100861B, and A100861C and the Bill of Sales for the transfer of ownership of a mobile home sold at public auction on February 6, 2007, to Carol Sue Bond for \$26,622. (C6907049M00) (ADM1921)

FCD Parcel: FP005 – APN: 02-11-020F (No Land Involved)

FCD-7. IGA FOR DAM SAFETY PROGRAM WORK – (APPROVED)

Approve Intergovernmental Agreement (IGA) FCD 2007A001 between the Flood Control District of Maricopa County and the Arizona State Land Department to perform Dam Safety Program work in repairing the Powerline, Vineyard, and Rittenhouse Dams. (C6907050200)

LIBRARY DISTRICT AGENDA

LD-1. Approve Library District Personnel Agenda (Exhibit D). – (APPROVED)

LD-2. DONATIONS – (APPROVED)

- a. Accept the donation reports received for March 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM2800-006)
- b. Approve and accept a donation from IKEA of 900 BLUND stuffed animals valued at \$1,791.00 to the District's 2007 Summer Reading Program; adult and juvenile books and CDs valued at \$3,698.38 from the Friends of the Southeast Regional Library to the SERL; and \$6,954.00 in cash to the Summer Reading Program to purchase material for the Northwest Regional Library and the Hollyhock Branch Library (\$6,766.00 to NWRL and \$188.00 to Hollyhock) from the Friends of the Surprise Library. Approve to amend the budget for the Library District (650), Library District Fund (244) increasing revenues and expenditures in the amount of \$6,954.00. (C6507027000) (ADM2800-006)

LD-3. IGA FOR OPERATION OF LIBRARY IN THE TOWN OF GILA BEND – (APPROVED)

Approve an Intergovernmental Agreement between the Maricopa County Library District and the Town of Gila Bend for operation of a library in the Town of Gila Bend. The Town shall lease a 2,012 sq. ft. building, located at 202 N. Euclid, to the District for the sum of \$1.00 per year. The term shall be commence on July 1, 2007 and terminate on June 30, 2012. The Town grants to the District the option of renewing the agreement for two additional five-year terms. (C6507025200)

LD-4. GRANT FOR THE FEBRUARY 2007 FAMILY FESTIVAL – (APPROVED)

Approve and accept a grant from Target Corporation in the amount of \$25,000 for the Library District's February 2007 Family Festival. Also, increase revenues and expenditures in the Library District (650), Library District Grant Fund (242) in the amount of \$25,000. The district's indirect cost recovery rate is 8.66%. Indirect costs are not recoverable. (C6507028300)

LD-5. SALE OF BRANCH LIBRARY AND LEASE-BACK AGREEMENT OF PORTION OF LIBRARY SPACE – (APPROVED)

Approve the sale of the George L. Campbell Branch Library (land, improvements and specific personal property) to the Maricopa County Community College District; approve the lease-back of a portion of the library space for a modified branch library; and authorize the Chairman to execute all documents approved by the County Attorney's Office necessary to finalize the sale's transaction and the lease-back agreement. The Maricopa County Community College District will pay \$4,000,000 to the Library District for the purchase of the George L. Campbell Branch Library property. The effective date of the sale is projected to be May 1, 2007. The Library District will lease-back approximately 10,892 square feet of library space within the George L. Campbell Branch Library at a nominal rate of \$1.00 per year and for a term ending June 30, 2011, unless terminated earlier. Modifications to the building, in order to operate the library in a portion of the building which is no longer the Library District's, will cost approximately \$10,000. Approve an increase in revenues in the amount of \$4,000,000 and expenditures in the amount of \$10,000 to the Library District (650) budget, Library District Fund (244). (C6507029100) (ADM2800)

LD-6. INCREASE EXPENDITURES FOR PURCHASE OF FURNITURE, FIXTURES AND EQUIPMENT – (APPROVED)

Approve a budget increase in revenues and expenditures in the amount of \$570,000 for FY 2006-07 Library District (650), Library District Fund (244) to purchase furniture, fixtures and equipment for the Perry Branch Library in Gilbert. The intergovernmental agreement with the Town of Gilbert (C6506002200) to run the Perry Branch Library, then called Gilbert Branch #2, was approved August 10, 2005. The Town of Gilbert is reimbursing 100% of the costs. (C6507030800) (ADM2800-003)

STADIUM DISTRICT AGENDA

SD-1. Approve Stadium District Personnel Agenda (Exhibit E). – (APPROVED)

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

- 68.** Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605) – (NO ACTION)
- 69.** Supervisors'/County Manager's summary of current events. (ADM606) – (NO ACTION)

*****The Board of Supervisors will now consider Code Enforcement Reviews.*****

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred.
New evidence is not considered at these hearings.**

CODE ENFORCEMENT REVIEW

- PZ-1. David Benefield** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2006-00282, David Benefield. This item was heard on March 21, 2007 and April 4, 2007. (Supervisory District 1) (ADM3417-044) – **(UPHELD HEARING OFFICER'S ORDER OF JUDGEMENT)**

*****The Board of Supervisors will now consider matters related to Planning and Zoning.*****

PLANNING AND ZONING AGENDA

CONSENT AGENDA: **(Detailed below)**

1. S2006-074, Final Plat in the C-S CUPD zoning district, located on the northwest corner of Camelback Road and Dysart Road (in the Litchfield Park/west Glendale area) (District 4) **(APPROVED)**

REGULAR AGENDA: **(Detailed below)**

2. Z2001-013, Consider a previously approved Special Use Permit (SUP) for a single-wide manufactured home in the Rural-43 zoning district for either modification of a stipulation or revocation, located at 7716 S. 349th Avenue (in the Tonopah area) (District 4) (Continued from 04-04-07) – **(APPROVED)**
3. Z2006-059, Special Use Permit (SUP) for a mobile home park in the Rural-43 zoning district, located at the northeast corner of 98th Street and Pueblo Avenue (in the east Mesa area) (District 2) – **(APPROVED)**
4. Z2006-095, Special Use Permit (SUP) for a riding and boarding facility in the Rural-190 zoning district, located north of Joy Ranch Road and east of 211th Avenue (in the Surprise area) (District 4) – **(APPROVED)**

CONSENT AGENDA DETAIL:

1. **S2006-074** District 4

Applicant: Champion Partners LLC
Location: Northwest corner of Camelback Road and Dysart Road (in the Litchfield Park/west Glendale area)
Request: Final Plat in the C-S CUPD zoning district for Camelback Place at Dysart (approximately 14.89 gross acres)

REGULAR AGENDA DETAIL:

2. **Z2001-013** District 4
(Continued from 04-04-07)

Applicant: Alicia Oregel
Location: Approx. 660' east of 351st Avenue and 330' south of Baseline Road at 7716 S. 349th Avenue (in the Tonopah area)
Request: Reconsideration of a previously approved Special Use Permit (SUP) for a single-wide manufactured home in the Rural-43 zoning district to either modify a stipulation of SUP approval or revoke the SUP (approximately 3.75 acres) – Oregel Residence

COMMISSION ACTION: Commissioner Jones moved to revoke the Special Use Permit previously approved under case Z2001-013. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 6-0.

3. **Z2006-059** District 2

Applicant: Law Office of David Cisiewski, PLLC for Rancho Reata, LLC
Location: Northeast corner of 98th Street and Pueblo Avenue (in the east Mesa area)
Request: Special Use Permit (SUP) for a 127-space Mobile Home Park in the Rural-43 zoning district (approximately 18.1 acres) – Rancho Reata Mobile Home Park

COMMISSION ACTION: Barney moved to recommend approval of Z2006-059, subject to stipulations “a” through “q”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the site plan entitled “Site Plan for Rancho Reata” consisting of three (3) full-size sheets, dated (revised), October 12, 2006 and stamped received February 26, 2007 except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Rancho Reata Mobile Home Park”, consisting of twelve (12) pages, dated revised February 20, 2007, and stamped received February 26, 2007, except as modified by the following stipulations.
- c. All trees shall be double-staked when installed.
- d. A continuous parapet shall screen all roof-mounted equipment.
- e. The following Maricopa County Drainage Review division stipulation shall be adhered to: The existing drywells need to be maintained as originally designed by property owner.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall

be screened with landscape material where possible. All HVAC units shall be ground-mounted.

- g. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- h. Within six (6) months of Board of Supervisors approval, the applicant shall comply with the following Maricopa County Department of Transportation (MCDOT) requirements:
 - Install sidewalk (5') and sidewalk ramps on Pueblo Avenue
 - Clean and maintain landscaping in County right of way on Coralbell Avenue (south side).
 - Open the drainage way between lots 29 and 30.
- i. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- j. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- k. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- l. This Special Use Permit shall expire six (6) years from the date of approval by the Board of Supervisors.
- m. The applicant shall submit a written report outlining the status of the development at the end of two (2) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- n. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- o. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- p. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- q. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

4. **Z2006-095** District 4

Applicant: Arizona Planning Solutions for Jeff and Terri Gold
Location: North of Joy Ranch Road and east of 211th Avenue (in the Surprise area)
Request: Special Use Permit (SUP) for a Riding and Boarding Facility in the Rural-190 zoning district (approximately 2.50 acres) – Rancho Sin Nieve

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2006-095, subject to stipulations “a” through “v”. Commissioner Pugmire seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the site plan entitled “Rancho Sin Nieve”, consisting of one (1) sheet, dated February 19, 2007 and stamped received February 22, 2007 except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Project Narrative for Rancho Sin Nieve”, consisting of seven (7) pages, dated revised February 21, 2007 and stamped received February 22, 2007, except as modified by the following stipulations. Within thirty (30) days of approval by the Board of Supervisors (BOS), the applicant shall submit a revised narrative report which outlines details relating to boarding of horses.
- c. Off-site parking shall be prohibited at all times.
- d. All trees shall be double-staked when installed.
- e. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- f. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- g. The maximum number of commercially boarded horses kept on this site at any one time shall not exceed ten (10).
- h. Total number of attendees, including participants, workers and spectators, shall be limited to ten (10) persons at any given time.
- i. The proposed landscaping on the site shall be maintained in good order such that it provides adequate screening for the site and replaced as necessary until the Special Use Permit expires.
- j. The hours of operation for the riding and boarding facility shall be restricted to Monday - Sunday (8:00 a.m. to 6:00 p.m.), with boarding of horses restricted between the months of November through March.
- k. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.

- l. All on-site drives and parking spaces shall meet PM-10 requirements for dust control as acceptable to the Air Quality Division of the Maricopa County Environmental Services Department (MCESD).
- m. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- n. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- o. All barns or buildings housing animals shall be equipped with fly deterrent systems to minimize fly populations.
- p. In no instance shall manure be placed, rolled or kept in the arenas. All refuse and animal wastes shall be stored within an enclosed building or within odor-proof closed containers. Prior to the issuance of building permits the applicant shall submit evidence that containers have been provided for adequate storage of one week's accumulation of manure. All manure shall be removed from the site twice (2) a week and disposed of in a proper manner acceptable to the Maricopa County Environmental Services Department. Strict adherence to Chapter XI of the Maricopa County Environmental Health Code shall be required.
- q. This Special Use Permit shall expire ten (10) years from the date of approval of the Special Use Permit by the Board of Supervisors.
- r. A Status Report shall be submitted within two (2) years from the date of approval of the Special Use Permit by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- s. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- t. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- u. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- v. Property owners and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.